

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROBERT K STITH,

Plaintiff,

vs.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS, MR. ELDEN
VALE, STEPHEN SINCLAIR, LT.
DAN BAYER, SGT. HAMBY,
SANDRA EYNON, F. ANGUIANO,
C/O HALL, GWINN JOSEPH, JEFF
LAMBERT, PETE MICHAEL and
JOHN DOES (3RD SHIFT UNIT 4),

Defendants.

NO. CV-09-5060-EFS

**ORDER DISMISSING COMPLAINT WITHOUT
PREJUDICE AND DIRECTING THAT
COLLECTION OF THE FILING FEE CEASE**

Before the Court is Plaintiff Robert K. Stith's Motion to Voluntarily Dismiss Complaint pursuant to Federal Rule of Civil Procedure 41(a). Defendants have not been served. Accordingly, **IT IS ORDERED:** Plaintiff's Motion (Ct. Rec. [13](#)) is **GRANTED** and the Complaint (Ct. Rec. [1](#)) is **DISMISSED WITHOUT PREJUDICE**.

Plaintiff also filed a Motion and Affidavit to waive collection of the remaining filing fee balance in this action. For good cause shown, **IT IS ORDERED:** Plaintiff's Motion (Ct. Rec. [14](#)) is **GRANTED**. The institution having custody of Plaintiff shall cease collection of the filing fee in this action, cause number **CV-09-5060-EFS**.

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COLLECTION OF THE FILING FEE CEASE -- 1

